

(a)(1) of this section and projected retained catches, by species. The value of whole fish processed into meal product will not be included in this calculation.

(3) *Research Plan fee percentage.* The Research Plan fee percentage for a calendar year will equal the lesser of 2 percent of the exvessel value of retained catch in the Research Plan fisheries or the fee percentage calculated using the following equation:

Fee percentage =  $[100 \times (\text{RRPC} - \text{FB} - \text{OF}) / \text{V}] / (1 - \text{NPR})$

Where:

(i) RRPC is the projection of recoverable Research Plan costs for the coming year.

(ii) FB is the projected end of the year balance of funds collected under the Research Plan.

(iii) OF is the projection of other funding for the coming year.

(iv) V is the projected exvessel value of retained catch in the Research Plan fisheries for the coming year.

(v) NPR is the percent (expressed as a decimal) of fee assessments that are expected to result in nonpayment.

(4) *Observer coverage.* For the period January 1, 1996, through December 31, 1996, observer coverage levels in Research Plan fisheries will be as required by § 679.51. After December 31, 1996, the level of observer coverage will be determined annually by NMFS, after consultation with the Council and the State of Alaska, and may vary by fishery and vessel or processor size, depending upon the objectives to be met for the groundfish, halibut, and king and Tanner crab fisheries. The Regional Director may change observer coverage inseason pursuant to § 679.52(d).

(5) *Embarkment/disembarkment ports.* Ports to be used to embark and disembark observers will be selected on the basis of convenience to the affected industry and on the availability of facilities, transportation, and accommodations deemed by the Regional Director to be necessary for the safe and reasonable deployment of observers.

(b) *Final Research Plan specifications.* NMFS will consider comments received on the proposed specifications and, following consultation with the Council, and with the State of Alaska, in the case of observer coverage in the crab

fisheries, will publish the final total exvessel value; standard exvessel prices; fee percentage; levels of observer coverage for Research Plan fisheries, including names of observer contractors and information for contacting them; and embarkment/disembarkment ports in the FEDERAL REGISTER annually, prior to the beginning of the calendar year.

#### § 679.54 Compliance.

The operator of any fishing vessel subject to this subpart, and the manager of any shoreside processor that receives groundfish, halibut, or king and Tanner crab from vessels subject to this subpart, must comply with the requirements of this subpart. The owner of any fishing vessel subject to this subpart, or any shoreside processor that received groundfish, halibut, or king and Tanner crab from vessels subject to this subpart, must ensure that the operator or manager complies with the requirements of this subpart and is liable, either individually or jointly and severally, for compliance with the requirements of this subpart.

### Subpart F—Scallop Fishery Off Alaska

SOURCE: 61 FR 38104, July 23, 1996, unless otherwise noted.

#### § 679.60 Gear and efficiency limits.

(a) *General.* Scallops may be taken only with dive gear or scallop dredge gear as defined at § 679.2.

(b) The inside ring diameter on all dredges used or carried by a vessel fishing for weathervane scallops (*Patinoplectin caurinus*) must be 4 inches (10.16 cm) or larger.

(c) The inside ring diameter on all dredges used or carried by a vessel fishing for scallops other than weathervane scallops must be 3 inches (7.62 cm) or larger.

(d) No person may use chafing gear or other devices that decrease the legal inside ring diameter of a scallop dredge.

(e) Except as provided in paragraph (f) of this section, no more than two scallop dredges may be operated at one time from a vessel, and the opening of